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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,259	08/07/2001	Daniel Lyakovetsky	MM4459	4902

7590 01/04/2005

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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/924,259

Applicant(s)

LYAKOVETSKY ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,6,7 and 9-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6,7 and 9-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Request Continued Examination***

1. The request filed on 12/02/2004 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/924,259 is acceptable and a RCE has been established. An action on the RCE follows.

1. Claims 4-5 and 8 were cancelled (dated 04/15/2004).
2. Claims 10-25 were added (dated 04/15/2004).
3. Claims 1-3, 6-7 and 9-25 are pending in this application.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-3, 6-7 and 9-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,549,216 issued to Schumacher et al. (hereinafter Schumacher) in view of US Patent No. 6,753,873 issued to Dixon et al. (hereinafter Dixon).

With respect to claim 1, Schumacher teaches a task is being accomplished to revise an entrain a database of file records (the occurrence of the events that result from user interaction are to be detected and identified are stored in a file: col. 4, lines 20-32 and col. 7, lines 15-20; also see col. 1, lines 7-15 and abstract);

recording in memory, a response to said event, a graphical user interface of a computer to form one or more emulated responses to said event, wherein said one or more emulated responses (the events are recorded via GUI and events are emulated as a sequence of events with the user interaction sequence: col. 2, lines 14-62, col. 4, lines 60-67 and col. 1-57);

selecting a batch of file records that require said task to be performed to execute changes and/or revisions from a database of file records (selecting event from GUI as shown in fig. 2, col. 5, lines 20-57, abstract and col. 2, lines 18-42 and col. 4, lines 60-67 and col. 5, lines 1-15);

loading a specified task and said collection of emulated event handlers for such task into a computer (recoded event would be retrieved via the loader button if fig. 2, item 216: col. 5, lines 45-50 and fig. 2); and

executing said task on said selected batch of file records by matching a member of a given event (executing the selected events or files with the options shown on fig. 2: col. 6, lines 15-35 and col. 5, lines 20-35 and lines 67-67).

Schumatcher teaches a GUI-oriented system like windows for processing an emulated sequence of events via user interaction for recoding, selecting, loading, executing and identifying an event with its responses from the stored even file (see abstract and col. 2, lines 14-62), detecting the occurrence of the event such as a clicking on the button with the mouse and response to the event. Schumatcher teaches event handling as a way of detecting and processing user input such as mouse clicks and key presses and iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach identifying an occurrence of an event that occurs and wherein said response is performed by a human operator.

However, Dixon teaches event sequence is received by test control unit, where a plurality of events is received through the computer communication interface (col. 14, lines 41-56, col. 3, lines 30-38 and abstract); and the response is performed by a user (col. 77, lines 1-5; col. 76 lines 42-67) and handling the real-time events (col. 18, lines 1-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the

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teachings of Dixon, wherein the control unit provided therein (see fig. 15 and fig. 21), would incorporate the use stored events and the event queue waiting for response from the user , in the same conventional manner as discussed by Dixon (col. 77, lines 1-5 and col. 14, lines 41-560. The motivation being to reduce the operator responses, eliminate the unnecessary actions and reduce the overhead in servicing response recording in the memory.

With respect to claims 2-3, Schumatcher teaches a process for automatically revising data as discussed in claim 1.

Schumatcher teaches a GUI-oriented system like windows for processing an emulated sequence of events via user interaction for recoding, selecting, loading, executing and identifying an event with its responses from the stored even file (see abstract and col. 2, lines 14-62), detecting the occurrence of the event such as a clicking on the button with the mouse and response to the event. Schumatcher teaches event handling as a way of detecting and processing user input such as mouse clicks and key presses and iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach collection of emulated event handlers until an event occurs that indicates that said task is completed.

However, Dixon teaches handling the real-time events (col. 18, lines 1-9), which are stored in event queue (col. 77, lines 1-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the teachings of Dixon, wherein the control unit provided therein (see fig. 15 and fig. 21),

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would incorporate the use stored events and the event queue waiting for response from the user , in the same conventional manner as discussed by Dixon (col. 77, lines 1-5 and col. 14, lines 41-560. The motivation being to reduce the operator responses, eliminate the unnecessary actions and reduce the overhead in servicing response recording in the memory.

With respect to claim 6-7 and 9-10, Schumatcher teaches a process for automatically revising data as discussed in claim 1.

Schumatcher teaches a GUI-oriented system like windows for processing an emulated sequence of events via user interaction for recoding, selecting, loading, executing and identifying an event with its responses from the stored even file (see abstract and col. 2, lines 14-62). Schumatcher teaches event handling as a way of detecting and processing user input such as mouse clicks and key presses and iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach reducing operator responses, collection of emulated event handlers until an event occurs that indicates that said task is completed.

However, Dixon teaches the operations are tracing or eliminated in order to avoid hurting the system performance (col. 72, lines 30-28) and handling the real-time events (col. 18, lines 1-9), which are stored in event queue (col. 77, lines 1-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the teachings of Dixon, wherein the control unit provided therein (see fig. 15 and fig. 21), would incorporate the use stored events and the event queue waiting for response from

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the user , in the same conventional manner as discussed by Dixon (col. 77, lines 1-5 and col. 14, lines 41-560. The motivation being to reduce the operator responses, eliminate the unnecessary actions and reduce the overhead in servicing response recording in the memory.

With respect to claim 11, Schumatcher teaches a task is being accomplished to revise a file record (the occurrence of the events that result from user interaction are to be detected and identified are stored in a file: col. 4, lines 20-32 and col. 7, lines 15-20; also see col. 1, lines 7-15 and abstract); and

recording in a memory, a response to said event with a graphical user interface (the events are recorded via GUI and events are emulated as a sequence of events with the user interaction sequence: col. 2, lines 14-62, col. 4, lines 60-67 and col. 1-57).

Schumatcher teaches a GUI-oriented system like windows for processing an emulated sequence of events via user interaction for recoding, selecting, loading, executing and identifying an event with its responses from the stored even file (see abstract and col. 2, lines 14-62), detecting the occurrence of the event such as a clicking on the button with the mouse and response to the event. Schumatcher teaches event handling as a way of detecting and processing user input such as mouse clicks and key presses and iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach identifying an occurrence of an event that occurs and wherein said response is performed by a human operator.

However, Dixon teaches event sequence is received by test control unit, where a plurality of events is received through the computer communication interface (col. 14,



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lines 41-56, col. 3, lines 30-38 and abstract); and the response is performed by a user (col. 77, lines 1-5; col. 76 lines 42-67) and handling the real-time events (col. 18, lines 1-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the teachings of Dixon, wherein the control unit provided therein (see fig. 15 and fig. 21), would incorporate the use stored events and the event queue waiting for response from the user, in the same conventional manner as discussed by Dixon (col. 77, lines 1-5 and col. 14, lines 41-560. The motivation being to reduce the operator responses, eliminate the unnecessary actions and reduce the overhead in servicing response recording in the memory.

With respect to claims 12-15, Schumatcher teaches a method as discussed in claim 11. Also Schumatcher teaches accessing the event record (col. 3, lines 65-67, col. 4, lines 1-10 and col. 7, lines 20-35).

Schumatcher teaches a GUI-oriented system like windows for processing an emulated sequence of events via user interaction for recoding, selecting, loading, executing and identifying an event with its responses from the stored even file (see abstract and col. 2, lines 14-62), detecting the occurrence of the event such as a clicking on the button with the mouse and response to the event. Schumatcher teaches event handling as a way of detecting and processing user input such as mouse clicks and key presses and iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach emulated event handler to handle said event for said obtained record,

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storing for a plurality of events that occur while accomplishing said task, task for said obtained record is completed.

However, Dixon teaches event sequence is received by test control unit, where a plurality of events are received through the computer communication interface (col. 14, lines 41-56, col. 3, lines 30-38 and abstract); event sequence occurring until the task is completed (col. 14, lines 35-62) and the response is performed by a user (col. 77, lines 1-5; col. 76 lines 42-67) and handling the real-time events (col. 18, lines 1-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the teachings of Dixon, wherein the control unit provided therein (see fig. 15 and fig. 21), would incorporate the use stored events and the event queue waiting for response from the user , in the same conventional manner as discussed by Dixon (col. 77, lines 1-5 and col. 14, lines 41-560. The motivation being to reduce the operator responses, eliminate the unnecessary actions and reduce the overhead in servicing response recording in the memory.

Claim 16 is essentially the same as claim 11 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 17 is essentially the same as claim 12 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim 18 is essentially the same as claim 13 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 13 hereinabove.

Claim 19 is essentially the same as claim 14 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 14 hereinabove.

Claim 20 is essentially the same as claim 15 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 15 hereinabove.

Claim 21 is essentially the same as claim 11 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 22 is essentially the same as claim 12 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim 23 is essentially the same as claim 13 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 13 hereinabove.

Claim 24 is essentially the same as claim 14 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 14 hereinabove.

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Claim 25 is essentially the same as claim 15 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 15 hereinabove.

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**Contact Information**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to An Ly whose telephone number is (571) 272-4039 or via E-Mail: [ANH.LY@USPTO.GOV](mailto:ANH.LY@USPTO.GOV) or fax to (571) 273-4039. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.


Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Fax Center (703) 872-9306

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER

ANH LY   
DEC. 20<sup>th</sup>, 2004